

REMARKS

Claims 1-15, 21, 29-30, and 56-64 are pending. Applicant acknowledges the Office's allowance of claims 1-6, 9-15, 21, 29, 30, 56, 59, and 60. Claims 1, 29, 57, 61, and 63 are amended.

Claims 1 and 29 have been amended to change the transitional phrase from "consisting essentially of" to "comprising" because the Office interpreted term to have "the same scope as comprising" for this specification in the Action mailed September 27, 2005. If these amendments change the status of any previously allowed claim, please contact the Applicant's undersigned attorney. Reconsideration of the application in view of the above amendments and the following remarks is respectfully requested.

I. 35 U.S.C. § 102 CLAIM REJECTION

Claims 57, 58 and 61-64 are patentably distinguishable from Purcell and Martin.

The Office rejected Claims 57, 58, and 61-64 under 35 U.S.C. § 102(b) as being anticipated by Purcell and Martin. This rejection is respectfully traversed.

The Office asserts that the procedure of infecting lymphocytes or human T-cell lines with HIV-1 virus is disclosed in Purcell and Marin, and since the HIV genome contains ESS, ISS, and ESE sequences that hnRNP A proteins bind to, our method is anticipated or already known in the art.

Claims, 57, 61, and 63 have been amended to include the language indicating that the RNA polynucleotide sequences are isolated and purified RNA

molecules, synthetic RNA molecules, or synthetic RNA analogs to further define the invention and to distinguish the subject matter of these claims from Purcell and Martin, which include the HIV genome. Support for this amendment can be found at least in paragraphs **0367, 0393, 0398, 0403, 0408, and 0413**. Purcell and Martin studied infecting lymphocytes or human T-cell lines with HIV-1 virus by contacting the cell lines with HIV-1 virus. Purcell and Martin use the entire HIV-1 virus and do not isolate or purify HIV-1 RNA. Therefore, Applicants' use of RNA polynucleotide sequences are distinguishable from Purcell and Martin's HIV genome.


II. CONCLUSION

In view of the foregoing amendments and remarks, Applicants respectfully submit that the claims of the present invention define subject matter patentable over the references cited by the Office and that the application is in condition for allowance. Should the Office believe that anything further is desirable to place the application in better condition for allowance, the Office is invited to contact Applicants' undersigned attorney at the below listed telephone number.

The Commissioner is hereby authorized to charge any deficiency or credit any overpayment to deposit account number 03-2469. Moreover, if the deposit account contains insufficient funds, the Commissioner is hereby invited to contact Applicant's undersigned representative to arrange payment.

Respectfully submitted,

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